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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/843,206	04/25/2001	Tatsuya Sasazawa	KOT-0029	8817

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EXAMINER

BASHORE, ALAIN L

ART UNIT	PAPER NUMBER
3624	

DATE MAILED: 12/18/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

SK

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/843,206	SASAZAWA ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Alain L. Bashore	3624	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1) Responsive to communication(s) filed on 25 April 2001.

2a) This action is **FINAL**.                            2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4) Claim(s) 1-15 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1-15 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on 25 April 2001 is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12) The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some \* c) None of:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) The translation of the foreign language provisional application has been received.

15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

1) Notice of References Cited (PTO-892)                            4) Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)                    5) Notice of Informal Patent Application (PTO-152)

3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.

6) Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Drawings***

1. The drawings are objected to because there are present foreign language elements in figures 4 and 5.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

### ***Specification***

2. The disclosure is objected to because of the following informalities:

On page 31, line 11, the word "brief" is misspelled.

On page 33 the figure descriptions for 16(a)-16(c) and 17(a)-17(b) must all be separate.

Appropriate correction is required.

### ***Claim Objections***

3. Claims 6-9 and 13 are objected to because of the following informalities:

In claims 6-9, the abbreviation "ID" is not initially defined.

In claim 6, the recitation of "subject" is vague and indefinite. For the purposes of examination the "subject" is construed to mean "person".

In claim 13, the word "reward" appears to be misspelled as "reword".

Appropriate correction is required.

***Claim Rejections - 35 USC § 112***

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 2 and 15 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 2, the recitation of "valuable" is considered indefinite because it is a relative term - what is valuable to one may not be valuable to another.

Claim 15 appears to refer to either a separate statutory class of invention or another invention in its preamble (both of which is improper). For the purposes of this examination claim 15 will be considered to recite: "The processing system of claim 1 further comprising a recording media for recording a program".

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

7. Claims 1-5, 10-12, 14-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kitano et al in view of Wong et al.

Kitano et al discloses an economical data processing system. Means for forming a virtual space in use with a network includes a plurality of computers connected to each other (col 6, lines 28-67). Valuable information storing means stores valuable information representing value provided in the virtual space and the valuable information is delivered in the virtual space (col 19, lines 10-67; col 20, lines 12-5). Value of the valuable information is represented as value data (col 7, lines 33-35) and said valuable information storing means stores said valuable information in relation with said value data . A valuable information evaluation means evaluates a value of said valuable information so as to generate said value data of said valuable information (col 7, lines 40-46). The valuable information may be image information (col 6, lines 38-43).

There is not explicitly disclosed to Kitano et al:

means for forming virtual currency which represents a value index in said virtual space;

a virtual currency storing means for storing said virtual currency;

wherein said virtual currency is delivered in said virtual space;

valuable information exchangeable with said virtual currency in said virtual space;

a virtual currency evaluation means for evaluating said virtual currency in a value system of real currency; and

means for exchanging said virtual currency with said real currency in accordance with the evaluation result of said virtual currency evaluation means; and

recording media that allows for recording a program of the economical data processing system.

Wong et al discloses: means for forming virtual currency (col 6, lines 20-33), virtual currency storing means (col 6, lines 34-41), virtual currency evaluation means (col 6, lines 41-48, means for exchanging said virtual currency with said real currency (col 8, lines 54-67), and recording media that allows for recording a program (col 6, lines 4-8).

It would have been obvious to one with ordinary skill in the art to include means for forming virtual currency that represents a value index in said virtual space to Kitano et al because Wong et al teaches virtual currency is desirable for network systems rather than conventional means of payment (col 1, lines 30-42).

It would have been obvious to one with ordinary skill in the art to include a virtual currency storing means for storing said virtual currency to Kitano et al for accounting purposes (i.e.: to know who owes what and to whom).

It would have been obvious to one with ordinary skill in the art to include valuable information exchangeable with said virtual currency in said virtual space to Kitano et al because Kitano et al teaches that a virtual currency is used in virtual space to make purchases (col 2, lines 8-11).

It would have been obvious to one with ordinary skill in the art to include a virtual currency evaluation means for evaluating said virtual currency in a value system of real currency to Kitano et al because Wong et al teaches evaluation required of virtual currency before it may be stored (col 7, lines 12-16).

It would have been obvious to one with ordinary skill in the art to include means for exchanging said virtual currency with said real currency in accordance with the evaluation result of said virtual currency evaluation means to Kitano et al because Wong et al teaches redemption required of virtual currency to be used for making a transaction (col 8, lines 54-56).

It would have been obvious to one with ordinary skill in the art to include recording media to Kitano et al because Wong teaches a program that may be located on a computer (col 6, lines 1-8) as one of "many forms" that the program may take.

8. Claims 6-9, and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kitano et al in view of Wong et al as applied to claims 1-5, 10-12, 14-15 above, and further in view of Martinez et al.

Kitano et al in view of Wong et al does not explicitly disclose:

a ID data generating means for giving ID data to a subject which delivers said virtual currency in said virtual space;

a ID data judging means for judging whether or not said subject is allowed to make a connection with said virtual space in accordance with said ID data, and giving a permission to said subject to make a connection with said virtual space when said subject has said ID data with authenticity;

the virtual currency storing means stores said virtual currency in relation with said ID data; and

a subject given said virtual currency as a reward for being restricted in said virtual space for a period of time.

Martinez et al discloses a ID data generating means and ID data judging means (fig 9 and col 21, lines 55-67; col 22, lines 1-67) for use in transactions. Martinez et al also discloses rewards (col 10, lines 12-39) utilized by transactor users.

It would have been obvious to one with ordinary skill in the art to include a ID data generating means for giving ID data to a subject which delivers virtual currency in said virtual space to Kitano et al in view of Wong et al because Martinez et al teaches that valid IDs are required for a proper transaction (col 22, lines 61-62).

It would have been obvious to one with ordinary skill in the art to include an ID data judging means for judging whether or not said subject is allowed to make a connection with said virtual space in accordance with said ID data, and giving a permission to Kitano et al in view of Wong et al because Martinez et al teaches that a function of a system is to prohibit all invalid transfers (col21, lines 63-65).

It would have been obvious to one with ordinary skill in the art to include rewards for being restricted to the virtual space to Kitano et al in view of Wong et al because Martinez teaches reward systems that may be used in gamming, and that gamming is a form data processing utilizing virtual space and virtual currency (col 1, lines 67-67; col 2, lines 1-7).

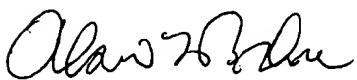
***Conclusion***

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Eng et al and Gavriloff discloses economical data processing systems.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alain L. Bashore whose telephone number is 703-308-1884. The examiner can normally be reached on about 7:30 am to 5:00 pm (Alternate Fridays Off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin can be reached on 703-308-1065. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-7687 for regular communications and 703-305-7687 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-1113.

  
Alain L. Bashore  
December 14, 2002